



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING




JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

MEMORANDUM

TO: State Board of Education

FROM: Michael P. Flanagan, Chairman 

DATE: January 29, 2007

SUBJECT: Approval of Criteria for State-Approved Supplemental Educational Services Providers

Title I, Part A of the No Child Left Behind (NCLB) Act of 2001 requires each State Educational Agency (SEA) to establish a list of State-Approved Supplemental Educational Services Provider available to local school districts and public school academies that have one or more Title I schools in Phase 2 or higher of NCLB sanctions. Any entity/individual that wishes to establish, or has established, itself as a supplemental educational services provider may apply. All current providers and all new applicants will be required to apply for approval this year. The Supplemental Educational Services Provider must meet the following legislative requirements and criteria as listed in Section 1116 of NCLB:

1. Has a demonstrated record of effectiveness in increasing student academic achievement;
2. Will use instructional strategies that are high quality, based upon research, and designed to increase student academic achievement;
3. Provides services that are consistent with the instructional program of the LEA and with State academic content and achievement standards;
4. Is financially sound; and
5. Will provide supplemental educational services consistent with applicable Federal, State, and local health, safety, and civil rights laws.

Specific criteria related to each of these requirements are presented in Attachment A.

It is recommended that the State Board of Education approve the criteria for State-Approved Supplemental Educational Services Providers, as attached to the Superintendent's memorandum dated January 29, 2007.

Attachments

STATE BOARD OF EDUCATION

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**MICHIGAN
STATE BOARD OF EDUCATION**

**Criteria for Approval of State-Approved Supplemental Educational Services
Providers**

The State Board of Education has adopted as its Strategic Goal "Attain substantial and meaningful improvement in academic achievement for all students/children with primary emphasis on high priority schools and students." In addition, the State Board has adopted the following five Strategic Initiatives to implement the goal:

Ensuring Excellent Educators
Ensuring Early Childhood Literacy
Elevating Educational Leadership
Integrating Communities and Schools
Embracing the Information Age

To the extent possible, all grant criteria and grant awards will include priority consideration of the Strategic Goal and the Strategic Initiatives.

BACKGROUND/PURPOSE

☐ Competitive ☐ Formula ☒ New ☐ Continuation

The purpose of these criteria is to support the application process required to become a state-approved Supplemental Educational Services (SES) Provider. Through the application process, providers become eligible to be on the state-approved list to provide tutorial services for schools identified for improvement. Parents of eligible students then select one or more of the providers from the list and request services through a process established by the local education agency (LEA). Once services have been rendered, providers are reimbursed by the local education agency. The criteria presented are significantly different than the criteria approved on August 8, 2002, with the intent to improve the quality of the SES providers on the approved list and include a process for evaluating currently approved providers.

LEGISLATION

SES programs are federally mandated by Section 1116 of Title I, Part A of the No Child Left Behind Act (NCLB). Subsection (e) of Section 1116 focuses specifically on the State Education Agency's (SEA's) responsibilities related to the approval process for applicant entities that would like to become state-approved SES providers:

The SEA must develop and apply objective criteria for approving Supplemental Educational Services Providers. The criteria for

approving providers, as well as the list of approved providers, must be published.

In conducting its approval process, the SEA must ensure that each SES provider it approves:

1. Has a demonstrated record of effectiveness in increasing student academic achievement [*Section 1116(e)(12)(B)(i)*];
2. Will use instructional strategies that are high quality, based upon research, and designed to increase student academic achievement [*Section 1116(e)(12)(C)*];
3. Provides services that are consistent with the instructional program of the LEA and with State academic content and achievement standards [*Sections 1116(e)(5)(B) and 1116(e)(12)(B)(ii)*];
4. Is financially sound [*Section 1116(e)(12)(B)(iii)*]; and
5. Will provide supplemental educational services consistent with applicable Federal, State, and local health, safety, and civil rights laws [*Section 1116(e)(5)(C)*].

RATIONALE FOR CRITERIA

The criteria are identified in NCLB Section 1116(e) and are intended to allow the MDE to select quality SES providers based on evidence and to evaluate effectiveness of providers.

CRITERIA

☒ Defined in Legislation ☐ Defined in Department's Grant ☒ Proposed by Staff

The five requirements for an approved SES provider are defined by legislation. The Department will use rubrics to evaluate the quality of each applicant's program using the criteria identified below:

NCLB Requirement

1. [The approved provider] has a demonstrated record of effectiveness in increasing student academic achievement.

*** State Criteria for Approval**

The applicant provides specific evidence (e.g., data, research citations) that the instructional program has a positive impact on the student achievement of the targeted student population and in the subject(s) and grades proposed. Positive impact on Michigan state assessments (e.g., MME scores) should be given the most weight, but other valid and reliable assessments will be considered. Applications of currently approved providers will also be evaluated based on data from satisfaction surveys and complaint resolution history.

NCLB Requirement

2. [The approved provider will] use instructional strategies that are high quality, based upon research, and designed to increase student academic achievement.

*** State Criteria for Approval**

The applicant demonstrates that instructional strategies are (1) high-quality and research-based; and (2) designed to increase student achievement by linking the strategies to academic research that supports major elements of the instructional program. Major elements must include mode of instruction, class size, time on task, special instructional materials, use of technology, and other applicable components of the program.

NCLB Requirement

3. [The approved provider will] provide services that are consistent with the instructional program of the LEA and with State academic content and achievement standards.

*** State Criteria for Approval**

The applicant:

- a. Describes how the instructional program connects to specific content expectations identified by the State and LEA;
- b. Identifies the process for ensuring staff is qualified, and identifies the plan for ongoing professional development and supervision;
- c. Identifies the process used to assess student need, identifies skill or knowledge gaps, and prescribes an instructional program based on the student's individual needs; and
- d. Describes the plan for communicating student progress to LEA(s), teacher(s), and to parent(s)/guardian(s).

NCLB Requirement

4. [The approved provider] is financially sound

*** State Criteria for Approval**

The applicant demonstrates that it has adequate financial stability and business practices to conduct the tutorial program for the minimum and maximum number of students proposed in its application.

The applicant:

- a. Identifies the minimum and maximum number of students it proposes to serve by grade and subject. The projections are consistent with proposed staffing;

- b. Identifies hourly charges for services;
- c. Submits a budget, available assets, tax returns, financial statements and cash flow projections that allow the provider to conduct the proposed program without interruption of services; and
- d. Provides evidence of invoices, employment requirements, student sign-in logs, student educational plans, parent and teacher progress reports, and other information typically required for reimbursement by the LEA.

NCLB Requirement

- 5. [The approved provider] will provide supplemental educational services consistent with applicable Federal, State, and local health, safety, and civil rights laws.

*** State Criteria for Approval**

The applicant:

- a. Signs assurances agreeing to abide by applicable Federal, State, and local health, safety, and civil rights laws;
- b. Signs a code of ethics developed specifically for SES providers to eliminate abuses, and encourage high standards and fair business practices that serve the best interest of students; and
- c. Is responsible for fingerprinting and maintaining criminal background checks for employees.

ELIGIBLE APPLICANTS/TARGET POPULATION TO BE SERVED BY GRANT

Any entity/individual that wishes to or has established itself as a supplemental educational services provider may apply. Any entity/individual desiring to provide services after the beginning of the 07-08 school year, will be required to have submitted an application that meets all criteria and is approved by the MDE prior to providing covered services.

TOTAL FUNDS AVAILABLE

None.

OFFICE ADMINISTERING GRANT/PROGRAM CONTACT

Office of School Improvement, Yvonne Caamal Canul
517-241-3147